

RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 03
COUNTY AND MUNICIPAL GOVERNMENTS
HUMAN RESOURCES / PERSONNEL RECORDS

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

APPROVED: Conley L. Edwards, State Archivist _____

EFFECTIVE SCHEDULE DATE: October 24, 2007

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CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, audio-visual, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. All reformatting must be done in accordance with The Library of Virginia Guidelines for Electronic Records and Microfilm and with §§ 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Accident/Illness Reports</u> This series consists of a log or summary of occupational injuries and illnesses. Excludes sick leave reports maintained for payroll purposes.	010220	Retain 5 years after the accident or illness then destroy in compliance with No. 8 on cover page. Refer to 29CFR1904 et seq.
<u>Administrative Records</u> This series documents the common functions and administration of various types of offices; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. 19, Administrative Records</i> for retention guidelines.
<u>Affirmative Action Plans</u> This series consists of an agency's official copy of any affirmative action plan. Refer to 29CFR1608 et seq.	010221	Retain the current and most recently expired plan then destroy all others.
<u>Affirmative Action Progress Reports</u> This series consists of an agency's official copy of any affirmative action report.	010222	Retain 3 years after submitted then destroy.
<u>Americans with Disabilities Act (ADA) Records and Reports</u> This series documents compliance with or responses to complaints filed under the federal Americans with Disabilities Act.	010223	Refer to records series 010226 and 010227, "Discrimination Complaints."
<u>Attendance Records</u> This series documents attendance at classes, meetings, and seminars for training or continuing education purposes. Excludes attendance records maintained for payroll purposes.	010224	Retain as long as administratively required then destroy.
<u>Certification/Qualification Records</u> This series documents any certification or qualification as required by employer or law for employment, continued employment, or promotion.	010225	Retain 3 years after employee departure then destroy.



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<u>Discrimination Complaint Case Files – Charges Filed</u> This series consists of the agency copy of any report or case file where a charge of discrimination was filed.	010226	Retain all records of the charge or the action until final disposition of the charge or action then destroy in compliance with No. 8 on schedule cover page. Refer to 29CFR1602.14.
<u>Discrimination Complaint Case Files – Charges Not Filed</u> This series consists of the agency copy of any report or case file alleging discrimination but no charges were filed.	010227	Retain 1 year after closure then destroy in compliance with No. 8 on schedule cover page. Refer to 29CFR1602.14
<u>Drug and Alcohol Screening or Testing Records</u> This series documents the administration and results of the screening or testing of job applicants or employees for illegal drug use.	010228	Retain 3 years after administration of test then destroy in compliance with No. 8 on cover page.
<u>Educational Assistance Program</u> This series consists of requests for tuition assistance and approval or denial of requests and repayment.	010229	Retain 3 years after completion, denial, repayment, removal from program or until audited, whichever is longer; then destroy.
<u>Electronic Records</u> This series consists of created or stored information held in any electronic format; records not otherwise listed on this schedule.		Refer to <i>General Records Retention and Disposition Schedule No. 23, Electronic Records</i> for retention guidelines.
<u>Eligibility Verification Form and Record (I-9)</u> This series documents employer verification of any prospective employee/recruit is a U.S. citizen, resident alien, or legal immigrant eligible to work in U.S. as required by the U.S. Immigration and Naturalization Service.	010230	Retain 3 years after date of hire or 1 year after termination date, whichever is longer, then destroy in compliance with No. 8 on schedule cover page. Refer to 8CFR274a.2.
<u>Employee Directories, Rosters, or Indexes</u> This series consists of listings of employees which may include work assignments, phone numbers, or work addresses.	010231	Retain until superseded then destroy.


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<u>Employee Health Records</u> This series documents any health treatment or examination given to an employee by the agency or an agent of the agency. Records may include testing for exposure to hazardous substances, treatment of on-the-job injuries by a medical professional, or documentation of long-term health risk. May include materials related to Series 10220, "Accident/Illness Reports".	010232	Retain 30 years after departure of employee then destroy in compliance with No. 8 on schedule cover page. Refer to 16VAC25-80-10.
<u>Employee Personnel Files</u> This series consists of documentation on an individual's employment history, including but not limited to: name, Social Security Number, last known address, starting and ending dates of positions, beginning and ending salary, job titles, hiring, benefits, test results, professional certification, promotions, evaluations, disciplinary actions, and security check results.	010233	Retain 50 years after termination then destroy in compliance with No. 8 on schedule cover page.
<i>Defunct Series</i> <u>Employee Personnel Files - File Tracking System</u> This series consists of a summary of employee's work history containing information such as: name, Social Security Number, last known address, starting and ending dates of positions, beginning and ending salary, job titles and other information needed to respond to requests for employment verification. Maintained in paper or electronic format.	010235	Retain 50 years after termination then destroy in compliance with No. 8 on schedule cover page.



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Defunct SeriesEmployee Personnel Files - In Tracking System

This series consists of documentation on an individual's employment history, including but not limited to hiring, benefits, test results, professional certification, promotions, evaluations, disciplinary actions, and security check results. Does not include records series "File Tracking System", but information from this series will be replicated in summary form in series 010235.

006223

Retain 5 years after termination then destroy in compliance with No. 8 on schedule cover page.

Employee Personnel Files – Supervisor's Copy

Copies of personnel records maintained by employee's supervisor.

010234

Retain until departure of employee then destroy in compliance with No. 8 on schedule cover page.

Equal Employment Opportunity Commission Records and Reports (EEOC)

This series consists of the agency copy of records or reports required to be kept or submitted by the Equal Employment Opportunity Commission (EEOC).

010236

Retain 3 years or until resolution of any associated personnel issues then destroy in compliance with No. 8 on schedule cover page. Refer to 29CFR1602.30.

Exit Interview Files

This series documents the interview of employees prior to their departure from an agency. May include materials related to Series 10233, "Employee Personnel Files".

010237

Retain 3 years then destroy in compliance with No. 8 on schedule cover page.

Fiscal Records

Documents the expenditure of funds, accounting for funds, routine purchases and other activities of an accounting or financial nature; records not otherwise listed on this schedule.

Refer to *General Records Retention and Disposition Schedule No. 02, Fiscal Records* for retention guidelines.


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<u>Grievance Records and Reports</u> This series documents the proceedings of an employee grievance including the initial complaint, actions, investigation, summary, and disposition.	010238	Retain 3 years after closure then destroy in compliance with No. 8 on schedule cover page.
<u>Health Certificates – Employees</u> This series consists of medical documentation verifying an employee's ability to perform a specific task, function, or job, or verifying that employee's health meets requirements set by employer.	010239	Retain 3 years after employee departs position requiring certificate then destroy in compliance with No. 8 on schedule cover page.
<u>Incident Reports</u> This series documents the occurrence of an incident and any subsequent investigation involving employees or facilities of an agency as well as the public at large which has reasonable possibility of legal consequences in the future. May include materials related to Series 10220, "Accident/Illness Reports".	010240	Retain 5 years after year of incident report then destroy.
<u>Leave Records</u> This series documents the accrual of different types of absences from work or official leave and its subsequent use by an employee.	010241	Refer to <i>General Records Retention and Disposition Schedule No. 02, Fiscal Records</i> for retention guidelines.
<u>License Records</u> This series documents professional licenses and other special licenses required of employee to establish competency for certain positions.	010242	Refer to records series 10225, "Certification/Qualification Records."



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<u>Occupational Safety and Health Administration (OSHA) Records</u> This series documents agency compliance with federal Occupational Safety and Health Administration and/or Virginia Occupational Safety and Health regulations of the Virginia Department of Labor and Industry. Includes policy and program documentation. May also include materials related to Series 10220, "Accident/Illness Reports".	006210	Retain 5 years then destroy in compliance with No. 8 on schedule cover page. Refer to 29CFR1904 et seq.
<u>Pay Classification Records</u> This series documents the determination of compensation for an individual, a job, or a group of jobs within the agency.	010244	Retain 3 years from date of determination then destroy in compliance with No. 8 on the schedule cover page. Refer to 29CFR1602.31.
<u>Payroll Records</u> This series documents the process of tracking employee wages, hours, benefits, deductions, and payroll taxes.		Refer to <i>General Records Retention and Disposition Schedule No. 02, Fiscal Records</i> for retention guidelines.
<u>Personnel Action Notices</u> This series documents personnel actions which effect an individual's pay, grade/band, job title, or classification. Includes changes of pay or status.	010245	Retain 3 years then destroy in compliance with No. 8 on schedule cover page.
<u>Personnel Reports</u> This series documents activities by personnel officers to others in locality and outside of locality.	010246	Retain as long as administratively useful then destroy.
<u>Position Classification and Description Files</u> This series documents task requirements for performing a job and/or agency approval of descriptions. May also be called job descriptions.	010247	Retain until elimination of position or as long as administratively useful then destroy.



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<u>Promotion/Demotion, Layoff, Termination, or Tenure Records</u> This series documents the selection or non-selection of an employee for promotion, demotion, layoff, termination, or tenure. May include materials related to Series 10233, "Employee Personnel Files".	010248	Retain 3 years then destroy in compliance with No. 8 on schedule cover page. Refer to 29CFR1602.31.
<u>Recruitment, Hiring, Interview, and Selection Records</u> This series documents the process of recruiting, selecting, hiring, and promoting employees. Includes selected and rejected applicants. May include position descriptions, copies of announcements and advertisements, applications, selection criteria, evaluations, and rankings. May also include criminal background investigation, fingerprint cards, and other security records. May also include results from Series 10228, "Drug and Alcohol Screening or Testing Records" and Series 10250, "Testing Records."	010249	Upon hiring or promoting individual, transfer relevant documents to records series 10233, "Employee Personnel Files" and other applicable files. Retain remaining documents 3 years after position is filled, then destroy in compliance with No. 8 on schedule cover page.
<u>Testing Records</u> This series consists of tests administered for employee selection, evaluation, or promotion. Results of tests may be transferred to records series 10233, "Employee Personnel Files."	010250	Retain 3 years after test is administered then destroy in compliance with No. 8 on schedule cover page.
<u>Training Records Not Required for Certification or Qualification</u> This series documents courses, seminars, meetings, and workshops attended by employees. Does not include training required for licensing or certification.	010251	Retain 3 years after completion of training then destroy.
<u>Unemployment Insurance Records and Reports</u> This series documents payment or denial of unemployment claims.	010252	Retain 5 years after case closure then destroy in compliance with No. 8 on schedule cover page.

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<u>Unsolicited Applications and/or Resumes</u> This series consists of applications or resumes received for which no position has been announced.	010253	Destroy upon receipt in compliance with No. 8 on schedule cover page.
<u>Verification of Employment Records</u> This series documents receipt of and responses to requests for verification of an individual's employment. Refer to <i>Code of Virginia</i> §§2.2-3800 et seq.	011152	Retain 3 years after request then destroy in compliance with No. 8 on schedule cover page.
<u>Volunteer Records – Recruitment and Selection</u> This series documents the recruitment and selection of volunteer workers.	010254	Retain 3 years then destroy in compliance with No. 8 on schedule cover page.
<u>Volunteer Records – Work History</u> This series documents the history of volunteers, including, but not limited to, application, assignments, performance, and attendance.	011150	Retain 3 years then destroy in compliance with No. 8 on schedule cover page.
<u>Worker's Compensation Reports and Documentation</u> This series documents worker's compensation taxes, policies, payments, or claims.	011151	Retain 5 years after closure or until audit, whichever is longer, then destroy in compliance with No. 8 on schedule cover page.